



ATTORNEY'S DOCKET NO.  
063170.2557 (20000244)

PATENT APPLICATION

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TRANSMITTAL FOR U.S. PATENT APPLICATION  
UNDER 37 CFR §1.53(b)

**Mail Stop Patent Application**  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Exp. Mail Cert. EV 324620191 US

Sir:

Transmitted herewith for filing is the original patent application of:

Inventors: Keefer, et al.

For: *System and Method Agent-Based Monitoring of Network Devices*

**Pursuant to 37 C.F.R. § 1.213(a), Applicants respectfully request that the above-identified patent application not be published under 35 U.S.C. § 122(b). Applicants hereby certify that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.**

Enclosed are:

- (1) Certificate of Mailing by Express Mail (1 page)
- (2) This Transmittal Form (2 pages)
- (3) Non-publication Request (1 page)
- (4) Specification, Claims and Abstract (24 pages)
- (5) Formal Drawings (7 pages)
- (8) Baker Botts L.L.P. acknowledgment postcard (1 card)

Applicant is large entity. The accompanying application is original.

FEE CALCULATION					FEE
	Number		Number Extra	Rate	Basic Fee \$ 770.00
Total Claims	25	20	5	X \$18 =	90.00
Independent Claims	4	3	1	X \$86 =	86.00
TOTAL FILING FEE =					\$ 946.00

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PATENT APPLICATION

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Enclosed is a check in the amount of \$946.00 for the filing fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.  
Attorneys for Applicants



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Registration No 47,892

Date: January 15, 2004

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X Customer Number: **05073**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:                      Keefer, et al.  
Title:                                        *System and Method for Agent-Based  
Monitoring of Network Devices*

**Mail Stop Patent Application**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Patent Application (24 pages), formal Drawings (7 pages), Non-publication Request (1 page), patent transmittal form (2 pages), and check in the amount of \$946.00, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 15th day of January, 2004 and addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Willie Jiles

Express Mail Receipt  
No. EV 324620191 US

Attorney's Docket:  
063170.2557 (20000244)

<b>NON-PUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Billy Keefer
	Title	System and Method for Agent-Based Monitoring of Network Devices	
	Attorney's Docket Number		063170.2557 (20000244)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 15, 2004

Date



Signature

Thomas H. Reger

Reg. No. 47,892

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non-publication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.